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PATENT

9/30/02
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Eisinger, Lee
FOR : APPLICATION OF TEXTURED OR PATTERNED
SERIAL NO. : SURFACES TO A PROTOTYPE
FILED : 09/807,262
LAST OFFICE ACTION : October 11, 2001
EXAMINER : UNKNOWN
GROUP ART UNIT : UNKNOWN
ATTORNEY DOCKET NO. : 2825
: 0553.0012
: Akron, Ohio 44308
: February 25, 2002

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CERTIFICATE OF MAILING

I hereby certify that this **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56 and §1.97** is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box DD, Commissioner for Patents, Washington, DC 20231, on the following date:

3-7-02

Debbie M. Johnston

Box DD
Commissioner for Patents
Washington, D.C. 20231

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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56 and §1.97**

Dear Sir:

In accordance with 37 C.F.R. § 1.56, the applicant files this Information Disclosure Statement (IDS) under at least one of the following five circumstances:

1. **There is No Information to disclose:** No patent novelty search was performed in this case and neither the Applicant nor the undersigned are aware of any prior art devices or documents which they believe to be material to the invention as claimed. This document is being supplied for informational purposes to the Examiner and is evidence of our desire to comply with the duty of disclosure.

2. **Under § 1.97,** this IDS is filed with the knowledge that it will NOT be considered, but WILL be placed in the file, if

- (1) this IDS is filed BEFORE the grant of a patent; AND
- (2) this IDS does NOT comply with the requirements noted below

3. **Under § 1.97(b),** this IDS should be considered because it is being filed

(1) within 3 months of the filing date of a national application, other than a continued prosecution application under § 1.53(d); OR

(2) within three (3) months of the date of entry of the national stage of an international application as set forth in § 1.491; OR

(3) before the mailing date of a first Office Action on the merits; OR

(4) before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114,
whichever occurs last.

4. **Under § 1.97(c):** this IDS should be considered because it is being filed after the period specified Under § 1.97(b) above, BUT

(1) before either the mailing date of a final action under § 1.113 OR

(2) before the mailing date of a notice of allowance under § 1.311; OR

(3) before an action that otherwise closes prosecution in the application,
whichever occurs last AND

it is accompanied by one of the following statements under § 1.97(e):

I, John M. Skeriotis, the undersigned hereby state:

(a) Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a

counterpart foreign application not more than three months prior to the filing of this statement,
OR

(b) To the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than 3 months prior to the filing of this statement; OR

A check in the amount of \$ 180.00 is enclosed to cover the Information Disclosure Statement (IDS) Fee under 37 C.F.R. § 1.17(p) as required when neither item (a) nor (b) above are selected.

5. Under § 1.97(d): this IDS should be considered because

- (1) it is being filed after the period specified Under § 1.97(c) above but ON
OR BEFORE payment of the issue fee, AND
(2) it is accompanied by one of the following statements under § 1.97(e):

I, John M. Skeriotis, the undersigned hereby state:

(a) Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, OR

(b) To the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than 3 months prior to the filing of this statement; AND

A check in the amount of \$ 180.00 is enclosed for the petition fee as set forth under 37 C.F.R. § 1.17(i).

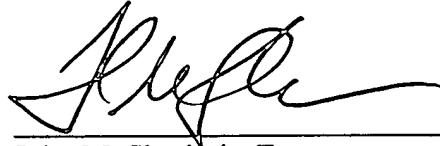
In accordance with § 1.56 and § 1.97 the references listed on the attached form PTO/SB/08A are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of these cited documents are enclosed.

Please charge deposit account No. 05-0875 if any additional fees are required.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08A, with initials or other appropriate marks.

Respectfully submitted,

EMERSON & SKERIOTIS



John M. Skeriōtis, Esq.

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Date

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